

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION**

UNITED STATES,

v.

VICTOR ARCOS-BENITEZ.

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Cr. No. C-05-701

ORDER FOR DEFENDANT TO PROVIDE ADDITIONAL INFORMATION

Defendant Victor Arcos-Benitez (“Arcos-Benitez”) was convicted after a jury trial, and was sentenced by Chief Judge Head on May 17, 2006. (D.E. 83). Final judgment was entered against him on May 24, 2006, and he timely appealed. (D.E. 88, 84). On July 3, 2006, the Clerk received from Arcos-Benitez a letter motion requesting the appointment of counsel to represent him on appeal.

Although Arcos-Benitez was originally represented in his criminal proceedings by appointed counsel, he later retained counsel, Fernando G. Mancias, who represented him throughout the trial and sentencing. Because of this, Arcos-Benitez is not automatically entitled to appointed counsel on appeal, but must show anew his financial eligibility for counsel. See 18 U.S.C. § 3006A(b)-(c); Fed. R. App. P. 24.

Arcos-Benitez summarily claims in his letter motion that he is indigent and unable to afford counsel, but he has not provided any specific financial information from which this Court can determine whether he is, in fact, financially unable to obtain counsel. Accordingly, the Clerk is directed to provide Arcos-Benitez with a blank in forma pauperis application. Arcos-Benitez shall complete the application and return it to the Clerk not later than twenty days after the entry of this

Order. Once it is received, the undersigned will be able to determine his financial eligibility for counsel and whether he is entitled to appointed counsel on appeal.

It is ORDERED this 7th day of July, 2006.



B. JANICE ELLINGTON
UNITED STATES MAGISTRATE JUDGE